IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 23RD MAY 2007 / 2ND JYAISHTA 1929

Bail Appl..No. 2998 of 2007()

C.R.NO.25/2007 OF PATHANAMTHITTA EXCISE RANGE

: PETITIONERS:

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1. DEVADAS, AGED 43, S/O.PADBANABHAN,
   VADAKKEVILAYIL VEETTIL, IDAKKUNNAMMURI,
   NOORANADU VILLAGE, MAVELIKKARA.

2. SASI, AGED 43, S/O.KUNJUKUNJU,
   KODATH VEEDU, VETTIKKODE MURI,
   KATTANAM VILLAGE, MAVELIKARA.

BY ADV. SRI.A.MOHAMMED

RESPONDENTS: COMPLAINANT:

STATE OF KERALA, REPRESENTED BY
THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 23/05/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V.RAMKUMAR, J.

Bail Application No. 2998/2007

Dated this 23rd day of May, 2007

O R D E R

The petitioners who are accused Nos. 1 and 2 in C.R.No.25/2007 of Pathanamthitta Excise Range for offences punishable under Sections 8(2) and 55(a) of the Abkari Act for allegedly having stocked ten litres of spirit and 5.8 litres of toddy mixed with spirit on 25.4.2007 and who were arrested on the same day, seek their enlargement on bail.

2. The learned Public Prosecutor opposed the application.

3. It is too early to accept the petitioner's contention that he has been falsely implicated in the case. Moreover, I am not satisfied that both the ground enumerated under Section 41A (b)(ii) of the Abkari Act are present in this case so as to justify his release on bail.

The application is accordingly dismissed.

V.RAMKUMAR,
JUDGE

mrcs